

Remarks

Reconsideration of this Application is respectfully requested. Upon entry of the foregoing Amendment to the Claims, claims 1-27 are pending in the application, of which claims 1, 7, and 16 are independent. By the foregoing Amendment, claims 1, 7, and 16 are sought to be amended. Claims 22-27 are sought to be added. No new matter is embraced by this amendment and its entry is respectfully requested. Based on the above Amendment and the remarks set forth below, it is respectfully requested that the Examiner reconsider and withdraw all outstanding rejections.

Provisional Double Patenting

The Examiner, on page 2 of the Office Action, has rejected claims 1-21 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-30 of Application No. 09/948,708. The Examiner has indicated that this is a provisional obviousness-type double patenting rejection because the conflicting claims have not yet been patented. Therefore, Applicants will submit a terminal disclaimer at a later date, if deemed necessary.

Rejection under 35 U.S.C. § 102

The Examiner, on page 3 of the Office Action, states that claims 1-3, 5-12, 14-18, and 20-21 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,141,686 to Jackowski *et al.* (hereinafter "Jackowski"). Applicants respectfully traverse this rejection. Based on the remarks set forth below, Applicants respectfully request that this rejection be reconsidered and withdrawn.

To anticipate a claim of a pending application, a single reference must disclose each and every element of the claimed invention. *Hybritech Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 1397 (Fed. Cir. 1986). The exclusion of a claimed element from the single source is enough to negate anticipation by that reference. *Atlas Powder Co. v. E.I. du Pont de Nemours & Co.*, 750 F.2d 1569, 1574 (Fed. Cir. 1984).

With respect to independent claims 1, 7, and 16, the Examiner states that Jackowski teaches every element of these claims. Applicants respectfully disagree.

Contrary to the present invention, Jackowski does not teach or suggest every element of Applicants' invention. For example, referring to independent claims 1, 7, and 16, Jackowski does not teach or suggest at least the following claimed elements:

continuously updating the access control list to add or remove entries or to change access levels as the user transitions in and out of a social network or as communications between users changes.

For at least these reasons, Applicants respectfully submit that Jackowski does not include each and every element of Applicants' claimed invention recited in independent claims 1, 7, and 16. Therefore, independent claims 1, 7, and 16, and the claims that depend therefrom (claims 2-6 and new claims 22-23, claims 8-15 and new claims 24-25, and claims 16-21 and new claims 26-27, respectively), are patentable over Jackowski. Reconsideration and withdrawal of this rejection is respectfully requested.

Rejection under 35 U.S.C. § 103

The Examiner, on page 4 of the Office Action, states that claims 4, 13, and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,141,686 to Jackowski *et al.* (hereinafter "Jackowski") in view of U.S. Patent No. 6,044,466 to

Anand *et al.* (hereinafter "Anand"). Applicants respectfully traverse this rejection. Based on the remarks set forth below, Applicants respectfully request that this rejection be reconsidered and withdrawn.

Claims 4, 13, and 19 depend from independent claims 1, 7, and 16, respectively, which are patentable over Jackowski for at least the reasons stated above. Applicants therefore respectfully request that the Examiner reconsider and withdraw the rejection of dependent claim 4, 13, and 19.

- 11 -

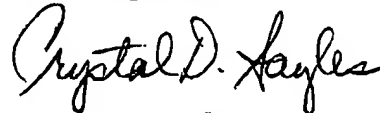
Adams *et al.*
Appl. No. 09/750,533**Conclusion**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all currently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Response is respectfully requested.

Respectfully submitted,

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